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and on behalf of all others similarly situated

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ROY D. TAYLOR, ARLETHA FLUD,
THOMAS J. WOOD, ERNEST C.
HARVEY, II, individually, and on behalf
of all other similarly situated.,

Plaintiff,

V.

FEDEX FREIGHT, INC., an Arkansas Corporation, and DOES 1 through 20, inclusive,

Defendant.

Case No. 5:10-CV-02118 LHK

**JOINT STIPULATION AND
PROPOSED ORDER REGARDING
THE MOTION FOR PRELIMINARY
APPROVAL OF CLASS
SETTLEMENT FILING DEADLINE
AS MODIFIED**

FEDEX FREIGHT, INC., an Arkansas Corporation, and DOES 1 through 20, inclusive,

Defendant.

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WHEREAS, the parties were previously ordered by this Court on June 10, 2011 to file the Motion for Preliminary Approval of Class Settlement by July 15, 2011 with a hearing date set for September 1, 2011;

WHEREAS, the information regarding the breakdown of class members in various positions and the number of work weeks in each position is a relevant fact necessary for Plaintiffs' Motion for Preliminary Approval of the Settlement Agreement;

WHEREAS, Defendant FedEx Freight, Inc. has been diligently working on getting the complete information regarding the class members to incorporate into Plaintiffs' motion, but has not completed that task;

WHEREAS, the parties believe a one week extension is necessary to finish gathering the necessary information, incorporate it into the papers and finalize the papers related to the Motion for Preliminary Approval of Class Settlement. The parties further stipulate that the case management conference and the hearing date previously set by this Court shall remain on calendar.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs Roy Taylor, Arletha Flud, Thomas Wood and Ernest Harvey and Defendant FedEx Freight, Inc., through their respective counsel, and subject to approval by the Court, that the date to file the Motion for Preliminary Approval of Class Settlement be extended to July 22, 2011. There have been no prior requests for extension of this filing deadline, and continuation of the filing date to July 22, 2011, does not affect the August 10, 2011 case management conference date or the September 1, 2011 hearing date previously set by the Court. Further extensions will be disfavored.

Dated: July 13, 2011

/s/
MICHELLE B. HEVERLY
LITTLER MENDELSON
A Professional Corporation
Attorneys for Defendant
FEDEX FREIGHT, INC.

Dated: July 13, 2011

/s/
MICHAEL L. CARVER
LAW OFFICES OF MICHAEL L. CARVER
Attorneys for Plaintiffs

ORDER

The Court having reviewed the foregoing joint stipulation, IT IS HEREBY ORDERED as follows:

The Motion for Preliminary Approval of Class Settlement of the above captioned case must filed by July 22, 2011. All other deadlines previously set by the Court's June 10, 2011 Order shall remain on calendar.

Dated: July 14 , 2011

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HONORABLE LUCY KOH